

111TH CONGRESS
2D SESSION

S. 3767

To establish appropriate criminal penalties for certain knowing violations relating to food that is misbranded or adulterated.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2010

Mr. LEAHY (for himself, Ms. KLOBUCHAR, and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To establish appropriate criminal penalties for certain knowing violations relating to food that is misbranded or adulterated.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Food Safety Account-
5 ability Act of 2010”.

6 **SEC. 2. CRIMINAL PENALTIES.**

7 (a) IN GENERAL.—Chapter 47 of title 18, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

1 **“§ 1041. Misbranded and adulterated food**

2 “(a) IN GENERAL.—It shall be unlawful for any per-
3 son to knowingly—

4 “(1) introduce or deliver for introduction into
5 interstate commerce any food that is adulterated or
6 misbranded; or

7 “(2) adulterate or misbrand any food in inter-
8 state commerce.

9 “(b) PENALTY.—Any person who violates subsection
10 (a) shall be fined under this title, imprisoned for not more
11 than 10 years, or both.”.

12 (b) TECHNICAL AND CONFORMING AMENDMENT.—
13 The table of sections for chapter 47 of title 18, United
14 States Code, is amended by adding at the end the fol-
15 lowing:

“1041. Misbranded and adulterated food.”.

